IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gaston M. Barajas, William P. Hyden, Gavin T. Smith, Thomas Vrhel, Jr.

Assignee: Dell Products L.P.

Title: Integrated Rapid Install System for Generic Software Images

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Examiner: Michael D. Yaary Group Art Unit: 2193

Docket No.: DC-05152 Customer No.: 33438

Austin, Texas
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PRE-APPEAL BRIEF REQUEST FOR REVIEW AND STATEMENT OF REASONS

Sir:

Applicant requests review of the Final Rejection in the above-identified application. No amendments are being filed with the request. This request is being filed with a Notice of Appeal. The following sets forth a succinct, concise, and focused set of arguments for which the review is being requested.

CLAIM STATUS

Claims 1-3, 5-13, 15-23, and 25-30 are pending in the application. Claims 1-3, 5-13, 15-23 and 25-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Burkhardt and Cohen et al., U.S. Patent No. 6,823,508 (Burkhardt), in view of Cohen et al., U.S. Patent Publication No. 2003/0233646 (Cohen).

REMARKS

The present invention generally relates to an integrated rapid installation system. With the integrated rapid installation system, an image for installation onto a target system is self contained and can include substantially all current shipping software parts for predetermined target system orders. One aspect of the invention that enables such rapid installation is the

ability to determine whether any subtract components are present in the image. Because the image contains substantially all of the possible software components in an order, the image can be sued in many different types of manufacturing methods. By providing the ability to subtract components from the image, the image that is installed on the target system only includes those components. (See e.g., Barajas application, page 3, lines 11 – 28.) Subtract components are components that are present in the image that are not included within the order, and thus are to be deleted when the image is installed onto the target system. (See e.g. Barajas application, page 8, line29 – page 9, line 5.)

More specifically, the present invention, as set forth by independent claim 1, relates to a method for automatically installing a software image onto an information handling system. The method includes reading an order for an information handling system, reading an image manifest, installing an image specified by the image manifest onto the information handing system as installed software, automatically configuring the installed software; determining whether any subtract components are present in the image, and if any subtract components are present, then removing the subtract components from the installed software while automatically configuring the installed software.

Burkhardt relates to automatically customizing a program based on a user information store. Burkhardt discloses software programs, such as an operating system or other application programs, which are automatically customized to a specific user based on data corresponding to the specific user that is maintained in a user information store. The information store is a unified store that is accessible by multiple programs including the operating system. Thus, new information or information changes can be made available to multiple programs by the user adding (or changing) the information only once. The operating system image to be installed on a computer may be pre-populated with user-specific information at the factory. The user-specific information can be integrated into the operating system at the factory or alternatively upon an initial boot of the computer by the user.

Cohen discloses a system and method for copying a run-time image independent of computer context from a source computer-readable medium to one or more target computer-readable media of a target computer. Software of the invention integrates the copied software product with the target computer. The software applies an operating system and/or associated application programs to the target computer as a run-time image.

When discussing Burkhardt and Cohen, the Examiner set forth:

Burkhardt does not disclose determining whether any subtract components are present in the image; and if any subtract components are present, then removing the subtract components from the installed software while automatically configuring the installed software.

However, in an analogous art Cohen discloses determining whether any subtract components are present in the image; and if any subtract components are present, then removing the subtract components from the installed software while automatically configuring the installed software ([0005] and [0054], disclose software for image based installation and applying an image to a target computer. Image configuration occurs, and during configuration adding or removal of components occurs, thus showing that in image based software installation the addition or subtraction of components may be executed) (Office Action 8/10/2007, ¶6, Page 3).

Additionally, in the Response to Arguments Section of the Final Office Action, the Examiner sets forth:

Examiner respectfully disagrees. The combination of Burkhardt and Cohen do in fact disclose "determining whether any subtract components are present in the image, and if any subtract components are present, then removing the subtract components from the installed software while automatically configuring the installed software." Cohen in [0054] teaches further configuration being performed once an image has been applied to a target computer. Included in this further configuring of the installed software is "adding or removing components" in [0054], lines 8-9. This, when given its broadest reasonable interpretation reads on removing subtract components, or components that are present in the image that are not included within the order (as disclosed on page 8, line 29-page 9, line 5 of the instant application). Furthermore, one of ordinary skill in the art at the time of the invention, when combing [sic] the teachings of Burkhardt with the teachings of Cohen, would be able to apply the "removal of components" as being subtract components or any other components or files that may need to be removed (Final Office Action 12/27/07, ¶18, Page 6).

Paragraph 0005 of Cohen generally discloses software to transfer a run-time image independent of a computer context from a source computer readable medium to a target computer readable medium.

Paragraph 0054 of Cohen sets forth:

Once the run-time image 1 has been applied to the target computer 35, any machine-specific configuration not performed during pre-processing then occurs during integration. In one embodiment, image configuration occurs while the target computer 35 is still in a minimal operating system environment. As described herein, such configuration or integration may include, but is not limited to, configuring/registering software objects in the image, adding or removing components, configuring system

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settings (e.g., registry settings), moving and decompressing files, and selecting an appropriate language for the locale of the computer. The applied image is then booted and additional configuration items may be processed. Configuration items that may be performed before or after booting include, but are not limited to, resetting user settings and adding device drivers to prepare the image to boot on any hardware, generating security data specific to the target computer 35, and generating any keys required by the applied software program that are based on the generated security data (Cohen, ¶ 0054).

When discussing subtract components, the application sets forth that:

> During step 330, the integrated rapid install system 300 determines whether there are any subtract components present in the order. Subtract components are components that are present in the image that are not included within the order, and thus are to be deleted while the image is installed onto the target system 120. If there are any subtract components present in the order, then the integrated rapid install system 300 executes uninstall scripts for the subtract components that are missing from the order at step 332. The integrated rapid install system 300 then determines whether any script failures arose during the execution of the scripts at step 334. If a script failure did occur, then the integrated rapid install system 300 indicates a failure to the gatekeeper at step 320. If there were no script failures, then the integrated rapid install system 300 transfers to step 340 (Barajas Application, Page 8, Line 29-Page 9, Line 9).

Accordingly, merely disclosing machine specific configuration does not disclose removal of components in general and specifically determining whether any subtract components are present and removing subtract components from an installed software while automatically configuring the installed software as claimed.

More specifically, Burkhardt and Cohen, taken alone or in combination, do not teach or suggest a method for automatically installing a software *image* onto an information handling system much less such a method which includes *determining whether any subtract components are present in the image, and if any subtract components are present, then removing the subtract components from the installed software while automatically configuring the installed software,* all as required by claim 1 and as substantially required by claims 11 and 21. Accordingly, claims 1, 11, and 21 are allowable over Burkhardt and Cohen. Claims 2 - 10 depend from claim 1 and are allowable for at least this reason. Claims 12 - 20 depend from claim 11 and are allowable for at least this reason. Claims 22 - 30 depend from claim 21 and are allowable for at least this reason.

In view of the arguments set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, please telephone the undersigned.

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I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on February 25, 2008.

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Respectfully submitted,

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